
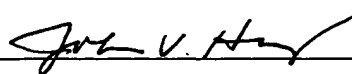


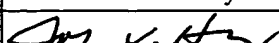
Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	08/648, 682	
	Filing Date	May 17, 1999	
	First Named Inventor	Johnston William McAvoy	
	Group Art Unit	1614	
	Examiner Name	Z. Fay	
Total Number of Pages in This Submission	3	Attorney Docket Number	UNSYD-39709

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		 24201 PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John V. Hanley, FULWIDER PATTON
Signature	
Date	January 26, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 1/26/2001			
Typed or printed name	John V. Hanley		
Signature		Date	1/26/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



RECEIVED
PATENT
Docket No. 08/648,092
FEB 1 2001
TECH CENTER 10012000

#27
JRP
2/9/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
Johnston William McAvoy
and Coral Gwenda Chamberlain

Examiner: Z. Fay

Group Art Unit: 1614

Serial No.: 08/648,092

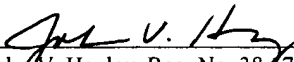
Filed: May 17, 1996

Title: A METHOD FOR PREVENTING
OR CONTROLLING CATARACT

Date: January 26, 2001

Certificate of Mailing Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 26, 2001.


John V. Hanley, Reg. No. 38,171

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

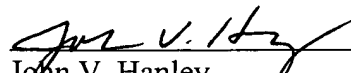
On November 8, 2000, a final Office action was issued wherein pending claims 14-28 and 34-38 were rejected under 35 U.S.C. §103 as being unpatentable over Nagamoto and WO 91/04748. In rejecting the claims, the Examiner stated that the cited references teach the use of growth factor inhibitors in preventing fibrotic disease. In particular, the Examiner relied upon Nagamoto as teaching that "growth factor causes the fibrosis disorders such as secondary cataract." Moreover, it was stated in the outstanding Office action that "one skilled in the art would have been motivated to employ the teachings of the above references, since one relates to the effect of the inhibitors of the growth factor in treating fibrosis diseases and the other relates to the secondary cataract as a fibrotic disease."

It is respectfully submitted, however, that the Nagamoto reference relied upon in the outstanding Office action, namely Nagamoto et al., "Alfa Smooth Muscle Actin Expression in Cultured Lens Epithelial Cells," Investigative Ophthalmology & Visual Science, April 2000, Vol. 41, No. 5, pages 1122-1129, is not prior art to the present application. In fact, since the Nagamoto reference was published in about April 2000, it bears a date that is well after the priority date of the claims of the present application. Moreover, it is to be recognized that a copy of the Nagamoto reference was submitted to the USPTO as part of a response to the March 20, 2000 Office action for the purpose of providing an example of a published reference which uses the term "after cataract" or "after-cataract." To wit, a copy of the reference was filed in order to demonstrate to the Examiner that the meaning of the term "after cataract" or "after-cataract" would be clear to one of ordinary skill in the relevant field.

Accordingly, it is respectfully submitted that the §103 rejection of pending claims 14-28 and 34-38 set forth in the November 8, 2000 Office action should be withdrawn.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP


John V. Hanley
Registration No. 38,171

JVH:kst
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Tel. No.: (310) 824-5555
Facsimile: (310) 824-9696
#195146